

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

THOMAS W. S. RICHEY,

Plaintiff,

v.

J. AIYEKU,

Defendant.

NO: 4:16-CV-5047-TOR

ORDER ADOPTING REPORT AND  
RECOMMENDATION

BEFORE THE COURT is Magistrate Judge Rodgers' Report and Recommendation (ECF No. 11), which recommends this Court deny as moot Plaintiff's request for a restraining order and/or preliminary injunction (ECF No. 5).

When reviewing a magistrate judge's order regarding a nondispositive matter, a district court "must consider timely objections and modify or set aside any part of the order that is clearly erroneous or is contrary to law." Fed. R. Civ. P. 72(a); *see* 28 U.S.C. § 636(b)(1)(C).

1 No objection to the Report and Recommendation has been filed. Having  
2 carefully reviewed the Report and Recommendation and the file therein, the Court  
3 adopts the Report and Recommendation in its entirety.

4 **ACCORDINGLY, IT IS ORDERED:**

5 1. The Report and Recommendation (ECF No. 11) is **ADOPTED in its**  
6 **entirety.**

7 2. Plaintiff's request for a restraining order and/or preliminary injunction  
8 (ECF No. 5) is **DENIED.**

9 3. As denial of this motion is not case dispositive, the District Court  
10 Executive is directed to recommit this matter to Magistrate Judge Rodgers for  
11 further proceedings in accordance with 28 U.S.C. § 636.

12 4. The District Court Executive is directed to enter this Order and provide  
13 copies to the parties.

14 **DATED** July 5, 2016.



*Thomas O. Rice*  
THOMAS O. RICE  
Chief United States District Judge